

REMARKS

Initially, Applicant would like to thank the Examiner for acknowledging receipt and consideration of each of the documents cited in the Information Disclosure Statement filed on March 7, 2005. Applicant would also like to thank the Examiner for acknowledging Applicant's claim for foreign priority under 35 U.S.C. §119, as well as receipt from the International Bureau of a certified copy of the priority document upon which Applicant's claim for foreign priority under 35 U.S.C. §119 is based. Applicant would further like to thank the Examiner for indicating the allowability of the subject matter recited in claim 3, if rewritten into independent form to include all of the limitations of base and intervening claims.

In the outstanding Official Action, claims 4-5 were rejected under 35 U.S.C. §102(b) over HODGE (U.S. Patent No. 2,017,247). Claims 1-2 were rejected under 35 U.S.C. §103(a) over DIETERICH (U.S. Patent No. 1,449,385) in view of ENDO (JP 3-189021). Claims 1-2 were also rejected under 35 U.S.C. §103(a) over TSUJI (U.S. Patent No. 6,606,926) in view of ENDO. Claims 6-7 were rejected under 35 U.S.C. §103(a) over DANIELS (U.S. Patent No. 1,402,284) in view of ENDO. Claim 3 was objected-to as being dependent upon a rejected base claim, but was otherwise indicated as containing allowable subject matter if rewritten into independent form to include all of the limitations of the base claim and any intervening claims.

Upon entry of the above amendment, claims 1-7 will have been canceled without prejudice to or disclaimer of the subject matter recited therein. Claims 8-14 will have been added for consideration by the Examiner. In this regard, the combinations recited in claims 8-14 are similar to the combinations previously recited in claims 1-7.

However, claims 8-14 have been revised to eliminate informalities and to clarify the nature of the features recited therein.

Each of the outstanding rejections and objection has been rendered moot by the cancellation of claims 1-7. However, Applicant traverses each of the rejections and objection insofar as claims 8-14 recite combinations similar to the combinations previously recited in claims 1-7.

Applicant traverses the rejection of claims 4-5 under 35 U.S.C. §102(b) over HODGE. The Official Action asserts that HODGE discloses "die tips 8 of different sizes" at Figure 2. However, Figure 2 of HODGE is directed to numerous independent dies 8, none of which would be the "die tip" recited in new claim 11 (which corresponds to original claim 4). In this regard, no die 8 in Figure 2 of HODGE includes "at least one forming die tip detachably and exchangeably attached to said die body and at least one sub die tip detachably and exchangeably attached to said die body" as recited in claim 11. Rather, each die 8 in HODGE is a continuous and hollow member (see col. 3, lines 41-51; col. 4, lines 12-16).

Accordingly, claim 11 is not disclosed, suggested or rendered obvious by HODGE. Additionally, claim 12 is allowable at least for depending from an allowable independent claim 11, as well as for additional reasons related to its own recitations.

Applicant traverses the rejection of claims 1 and 2 under 35 U.S.C. §103(a) over DIETERICH in view of ENDO. The Official Action asserts that DIETERICH discloses "punch tips 16 of a shorter length than... punch tips 15". However, DIETERICH discloses members 14 that are a "plurality of short cylindrical members 14 closely fitted one within the other to be capable of telescopic adjustment" (see col. 2, lines 64-68).

In this regard, the members 14 include outer members 16, inner members 17, and four central members 15 as shown in Figure 1 (see col. 2, lines 68-78). The members 14 do not differ in length. Rather, each "member" 14 differs only in diameter, and the differences in operative positions shown in FIG. 1 are due to the annular rings 18 pressing down on central members 15 (see col. 2, lines 79-84).

Further, the Official Action does not identify a "punch guide" or a "punch body fit slidably into said punch guide", let alone a "punch body" to which the various punch tips are "detachably and exchangeably attached" as recited in new claim 8 (which corresponds to original claim 1). Rather, the "upper device 10" includes an "outer jaw or receiving member 13 within the flange of which the stamping parts are fitted" (see page 1, lines 61-64).

Additionally, the members 14 (i.e., members 15, 16 and 17) are configured to reciprocate based upon "annular rings 18" and "suitable means in a stamp or press to cause relative vertical movement thereof" (see col. 1 line 54 to col 2, line 57). Accordingly, there is no proper motivation to modify DIETERICH in the manner asserted in the Official Action. Rather, the only motivation to modify DIETERICH with the teachings of ENDO is the improper motivation to obtain Applicant's claimed combination in hindsight.

Accordingly, claim 8 is not disclosed, suggested or rendered obvious by the combination of DIETERICH and ENDO for at least the reasons set forth above. Additionally, claims 9 and 10 are allowable at least for depending from an allowable claim 8, as well as for additional reasons relating to their own recitations.

Applicant traverses the rejection of claims 1 and 2 under 35 U.S.C. §103(a) over TSUJI in view of ENDO. The Official Action asserts that TSUJI discloses differences in lengths between punch forming tips 16 and punch clamping tips 16. However, Figure 3 of TSUJI is directed to numerous independent punching tips 16, none of which corresponds to the "punch tip" recited in claim 8. In this regard, no punching tip portion 16 in TSUJI includes "at least one forming punch tip detachably and exchangeably attached to said punch body and at least one clamping punch tip detachably and exchangeably attached to said punch body" as recited in new claim 8. Rather, each punching tip portion 16 is a continuous and independent punch tip (see col. 3, lines 21-28 and 56-62).

Further, no additional guides for movement of the punching tip portions 16 are called for in TSUJI. Accordingly, there is no proper motivation to modify TSUJI in the manner proposed in the Official Action. Rather, the only motivation to modify TSUJI in the manner proposed in the Official Action is the improper motivation to obtain Applicant's claimed combination in hindsight.

Accordingly, claim 8 is not disclosed, suggested or rendered obvious by the combination of TSUJI and ENDO for at least the reasons set forth above. Additionally, claims 9 and 10 are allowable at least for depending from an allowable claim 8, as well as for additional reasons relating to their own recitations.

Applicant traverses the rejection of claims 6 and 7 under 35 U.S.C. §103(a) over DANIELS in view of ENDO. The Official Action asserts that DANIELS discloses clamping punch tips 4, 6 that are shorter than forming punch tips 5, 7. However, Figure 2 of DANIELS is directed to independent male members 4-8, none of which

corresponds to the "punch tip" recited in claim 13 (which corresponds to original claim 6). In this regard, no male member 4-8 in DANIELS includes "at least one long forming punch tip detachably and exchangeably attached to said sliding body and at least one clamping punch tip detachably and exchangeably attached to said sliding body" as recited in new claim 13. Rather, each male member 4-8 is a continuous and independent punch tip (see Figure 2).

Further, no additional guides for movement of the male members 4-8 are called for in DANIELS. Accordingly, there is no proper motivation to modify DANIELS in the manner proposed in the Official Action. Rather, the only motivation to modify DANIELS in the manner proposed in the Official Action is the improper motivation to obtain Applicant's claimed combination in hindsight.

Accordingly, claim 13 is not disclosed, suggested or rendered obvious by the combination of DANIELS in view of ENDO for at least the reasons set forth above. Additionally, claim 14 is allowable at least for depending from an allowable independent claim 13, as well as for additional reasons related to its own recitations.

Accordingly, reconsideration and withdrawal of each of the outstanding rejections and objection are requested, at least for each and all of the reasons set forth above.

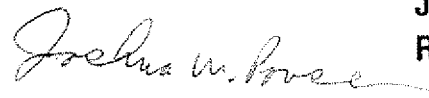
SUMMARY AND CONCLUSION

A sincere effort has been made to place the present application in condition for allowance and it is now believed that the present application is in condition for allowance. New claims have been added, and an explanation has been provided as to how each of the new claims is allowable over the documents applied in the Official Action. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all claims in the present application, and respectfully requests an indication of the allowability of all the claims now pending in due course.

The amendments to the claims which have been made in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions or comments regarding this Response, or the present application, any representative of the U.S. Patent and Trademark Office is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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